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By Paul Scott

Washington, May 2: Senator Henry Jackson (D. Wash.) has the votes in the Senate and House to write into any new trade legislation a ban against granting "most-favored-nation" privileges to Russia until the Kremlin permits its citizens the right to emigrate freely.

Surveys taken by Jackson reveal that his amendment would receive at least 70 votes in the Senate and more than 250 in the House if the measure was brought to a showdown vote in Congress today.

Supporters of the explosive Jackson amendment say the Kremlin's recent announcement that the assessment of the steep exit fees on Jewish emigrants was being waved has had no adverse impact on support for the Jackson amendment.

The Soviet gesture, which no one here but the White House takes serious, has made the Jackson supporters only more determined to include the restriction in the President's new trade proposal.

Battling over the Nixon trade proposals is scheduled to get under way formally when the House Ways and Means Committee opens hearings here May 7 with the major confrontation shaping up over the Jackson amendment.

President Nixon has taken the position he be allowed to give Russia and other communist countries the same standing in selling to the U.S. that non-communist nations have. Currently, the Soviet Union does not get such "most-favored-nation" treatment, meaning its goods pay higher tariffs when they enter the U.S.

It is the position of Senator Jackson that the U.S. should deny the benefits of abundant U.S. economy -- most favored access to our markets, credits, credit guarantees, and investment guarantees -- to any country that denies its citizens the right or opportunity to emigrate or imposes more than a reasonable barrier to emigration.

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"In so moving we are upholding our traditional commitment to individual liberty -- a commitment that was enshrined in the Universal Declaration of Human Rights unanimously adopted by the United Nations more than 25 years ago," Jackson says.

That Declaration, in Article 13, Jackson stresses, affirms the deep conviction of the American people that "everyone has the right to leave any country, including his own, and to return to his country."

EXPLOSIVE AMENDMENT -- In a background memorandum now being circulated among members of Congress, Senator Jackson spotlights the fact that his amendment is designed to help persons of all nationalities and faiths and not just Soviet Jews, stating:

"The Soviets have gone to some length to convey the impression that the question of free emigration is simply a Jewish issue. Their representatives, even as guests in this country, have resorted to the cruel incitement of anti-Semitic sentiments in an effort to scare off support for our amendment.

"Their broadcasts out of Moscow, their English-language publications intended for consumption here and their diplomatic representations have been pressed into service for this most odious purpose.

"We believe that there is a unique international quality about the right of free emigration -- for the individuals involved may be Soviet citizens today, but they wish to become citizens of other nations tomorrow -- citizens free to live their lives according to the values and laws of those nations. No matter what the cause of his desire to emigrate -- whether it be the right to worship or to dissent, to publish or speak, to read or write or listen to what they please, all of these and any of them can be realized by emigrating. Of freedoms, the right to emigrate is first among equals."

In urging other lawmakers to support his controversial amendment, Jackson writes:

"It is a fact of history that, in their despair, thousands of people who wish only to emigrate have appealed to us for help. Those who have made their appeals public have often incurred great risk in doing so, and all have placed their hopes and their trust in our response.

"We Americans, immigrants ourselves, have stood before the world as the symbol of free men. Our own tradition and the course of history have placed upon us a most awesome responsibility, and our own economic and technological advantages have now given us a unique opportunity to help secure a basic human right for those who are already risking everything in its pursuit."

TEETH IN THE AMENDMENT -- Under provisions of the Jackson amendment, the granting of "most-favored nation" treatment and the extension of credits or credit guarantees or investment guarantees are contingent on a report from the President to Congress that the country in question does not deny its citizens the right or opportunity to emigrate, and does not inhibit free emigration by imposing the payment of more than nominal taxes, fees, fines or other charges.

This report, which lies at the heart of the Jackson amendment, would be required at semi-annual intervals for so long as the trade benefits in question were made available. It is this provision, Jackson contends, that would give Congress the essential assurance of continuing compliance with the free emigration requirement..

Reports from U.S. Embassy in Moscow clearly show there is not now anything approaching the right of free emigration from the Soviet Union or the Communist bloc states under Soviet control. Current Kremlin practice has involved the most extreme harassment of person apply to emigrate -- dismissal from his jobs, withdrawal of pensions, "interviews" with KGB, Soviet secret police, arrests, and imprisonment.

At issue is the ending of the Iron Curtain. If they could have assurances of getting out of Russia and other Soviet bloc countries in Eastern Europe, the number that would leave are believed to be in the millions. More than 100,000 Soviet jews already have applied